



Department of Energy

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SEP 10 1996

96-DOE-07980

Mr Tim Rehder
U.S. Environmental Protection Agency, Region VIII
ATTN: Rocky Flats Project Manager, 8HWM-RI
999 18th Street, Suite 500, 8WM-C
Denver, Colorado 80202-2405

Dear Mr. Rehder:

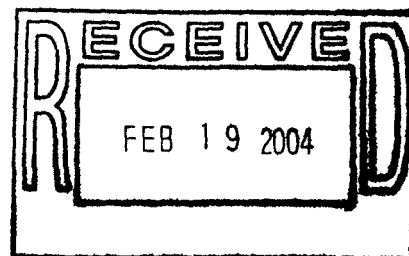
The purpose of this letter is to confirm agreements reached regarding disposition of soils excavated from Ryan's Pit and from Trenches T-3 and T-4 at the Rocky Flats Environmental Technology Site (RFETS). As you recall, these agreements were reached during a meeting held on August 28, 1996, during a conference call on the morning of September 4, 1996, and during subsequent conversations between yourself and Mr. Carl Spreng of the Colorado Department of Public Health and Environment (CDPHE).

Regarding the Ryan's Pit soils, data were presented at the August 28 meeting demonstrating that these soils, now stored in eleven roll-off containers at RFETS, contained levels of radionuclides below the proposed Tier II soil action levels. These data are the results of a statistically valid soil sampling program and a summary is enclosed. Based upon these data, parties at the August 28 meeting agreed that the Ryan's Pit soils would be returned to the excavation; Kaiser-Hill and RMRS plan to accomplish this in mid-September.

Kaiser-Hill and RMRS presented radiological sampling data for the majority of the soils excavated from T-4 (that is, those soils that did not show radiological levels above background when surveyed with field instruments) during the September 4 conference call. These data (enclosed) showed levels of radiological constituents that were below the proposed Tier II soil action levels. As per the Ryan's Pit soil, all parties agree that these soils could be returned to the excavation; Kaiser-Hill and RMRS plan to have this accomplished by September 9, 1996.

Considerable discussion took place both on August 28 and September 4 regarding the appropriate disposition of T-3 and T-4 soils that exhibited radiological concentrations above background (when surveyed with field instruments during the excavation), and which were segregated from other excavated soils. Sampling results indicate that about 250 cubic yards of this soil, has radiological concentrations that exceed the proposed Tier II soil action level, but which does not exceed the proposed Tier I soil action level. The parties have agreed to the following course of action for these soils:

- those soils that exhibit radionuclides below the proposed Tier II action level will be segregated and returned to the excavation per the Ryan's Pit and T-4 soils discussed above; and,



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- those soils that exhibit radionuclides above the proposed Tier II action level will also be returned to the excavation. They will be deposited in a specific area of the trench and will be underlain, and overlain, by a geotextile fabric or similar material for the purpose of demarcating these soils should re-excavation be deemed necessary at some point. The soils will be covered with topsoil and their location will be recorded, again to facilitate re-excavation if necessary.

In taking this action, RFFO recognizes, per the May 30, 1996, letter agreement governing this project, that use of the Tier I action level as a "putback" level is temporary, pending final resolution of the soil action level framework. RFFO also recognizes that if lower values are eventually agreed to as soil action levels, these soils may need to be removed and addressed in future remedial actions, consistent with the final soil action levels.

Consistent with our letter agreement of May 30, RFFO believes that this action is reasonable based upon the following:

- volatile organic contaminants, and not radionuclides, were the focus of this remedial action, and they have been successfully removed from the soils in question (these soils would not have been removed on the basis of radiological content alone);

- all soils proposed for return to the excavation conform to the proposed Tier I soil action limit;

- some immediate action is required to place the soils in a more stable configuration in order to minimize the need for ongoing management and to minimize the possibility of dispersal of the material;

- this action is cost effective as compared to on-site storage (estimated at \$13,000 per month, primarily for rental of roll-off storage containers) and off-site disposal (estimated at \$130,000, plus interim storage costs while awaiting shipment),

- this action poses no substantial environmental risk. Placing these soils back in the excavation and covering them with soil minimizes the likelihood of contaminant migration, and we regard this as an environmentally beneficial action as compared with storing the soil in a stockpile; and,

- should the decision ultimately be made to allow these soils to remain in the excavation, this will be consistent with anticipated land use. While the soils do contain somewhat higher levels of radionuclides than the other soils returned to the excavation, their radiological levels are below the proposed Tier I values for office worker and future residential exposure. Additionally, these soils contain lower radionuclide levels than are anticipated to remain following remediation at the nearby 903 Pad and Lip area.

The agreement of the Dispute Resolution Committee of August 22, 1996, was that put-back level decisions should be project specific, and made and explained within the decision documents associated with those actions. The agreement also specified that Decision factors to be considered include protectiveness and effectiveness, anticipated future land uses, contaminant levels in surrounding soils, and costs. Although agreement on specific put-back levels was agreed on May 30, we believe that we are also meeting the spirit of the August 22nd agreement.

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I acknowledge your belief that due to the site specific conditions at Trench T3, that the contaminants being replaced above the Tier II levels may need to be revisited in the future. We are confident that the manner in which the soils are being replaced will not preclude such an action.

Thank you for your assistance in resolving this issue. Please call me at 966-4839 if you have any questions

Sincerely,



Steve Slaten
RFCA Project Coordinator

Enclosures

cc w/o enc:

H. Roitman, CDPHE
C. Spreng, CDPHE
S. Tarlton, CDPHE
M. Dodson, USEPA Region VIII
L. Johnson, USEPA Region VIII
K. Korkia, Citizens' Advisory Board
D. Butterfield, RFLII
K. Schnoor, City of Broomfield
R. Lightner, EM-40, HQ
C. Gesalman, EM-40, HQ
J. Roberson, OOM, RFFO
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